

was stated to be \$7685 98, to which his said brother, acting for the company, had undertaken, upon the pretence, that he, the complainant, had, in some respect, violated his duty towards said company, of his own motion, without foundation, proof, or authority, to mulct him in the sum of near \$2000 and that swelled the amount which it was pretended he owed the company, to the sum of \$9632 32—that influenced by the representations made him by the said Nathaniel, and incapable of the mental effort necessary to look into his own concerns, the complainant united with his trustees, in transferring to the company, that amount of his stock on the 20th of July, 1844, in settlement of said pretended claim against him, which, by the merger of so much of the stock, reduced the capital of the company by that amount.

The bill, then, after particularly pointing out the alleged errors in the accounts of the company against the complainant, and averring, that upon a true and fair settlement, there would be found a balance due him, alleges, that his said brothers, George and Nathaniel, well knew that said accounts had been improperly adjusted, and that he, the complainant, was induced by solicitations and menaces, which in his enfeebled state of health he was incapable of resisting, to transfer stock in said company at the par value thereof, in satisfaction of said pretended balance; and the prayer is, that said settled account may be opened, and that the complainant may be permitted to surcharge and falsify the same, as well in the particulars mentioned as in all others which may be made apparent in the progress of the cause—that an account may be taken, and that if anything shall be found due from the company, they may be required to pay the same—and that if the complainant shall be found to be indebted to the defendant, the former, upon the payment of the same, shall be declared entitled to a re-transfer of his stock, and for general relief.

These seem to be the material allegations of the bill, filed with which, as exhibits, are the accounts upon which the settlement is charged to have been based, with another exhibit prepared according to the complainant's view, by which one of